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Summary of Ex Parte Meeting with NHTSA and Ford Motor Company

November 8, 2000

Docket No. NHTSA- 00-7013 - 48

Attendees

Rebecca MacPherson - NHTSA
Ed Glancy - NHTSA
Steve Wood - NHTSA
Lloyd Guercy - NHTSA
John Womack - NHTSA
Frank Seales - NHTSA
Ken Weinstein - NHTSA
Jim Vondale - Ford
Malcolm Wheeler - on behalf of Ford
Harold Pope - on behalf of Ford

Ford met with NHTSA staff to discuss its desire that the agency clarify in its response for petitions for reconsideration that no additional warning labels would be allowed in the interior of the vehicle other than the temporary label required on the dashboard and the permanent label required on the sun visor under FMVSS No. 208.

Ford also requested that NHTSA issue an opinion on additional warning labels in vehicles not equipped with advanced air bags, stating that the agency's previous letter of interpretation on the matter (Sanders letter, Nov. 12, 1998) was inconsistent with its statements in the preambles of the final rules mandating specific warning labels. Ford referred the agency to the recent 6th Circuit decision in Fisher v. Ford Motor Co., 224 F.3d 570 (6th Cir., Aug. 23, 2000).

As to the labels in vehicles equipped with advanced air bags, the agency asked whether Ford objected to informational labels rather than warning labels, and if it objected to temporary labels rather than permanent labels. The agency stated that it was not convinced that the rationales put forth in previous rulemakings on warning labels were directly applicable to vehicles with advanced air bags since some of the new systems could allow a vehicle occupant to take steps that would suppress an otherwise active air bag. Ford agreed that the systems were different, but reiterated that it believed the previous rationale was still valid.

As to the labels in vehicles not equipped with advanced air bags, Ford was directed to submit a request for legal interpretation. It was also told that if that request were received in a timely manner, the agency could address the letter as part of its response to petitions for reconsideration.

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